

REMARKS

Claims 1-10 are pending in this patent application, the Examiner is thanked for indicating that claims 2-5 and 7-10 contain allowable subject matter and would be allowed if rewritten in independent form.

In the office action, claims 1 and 6 were rejected under 35 U.S.C §102(e) as being anticipated by U.S. Patent No. 6,553,025 to Kung. The rejection of claims 1 and 6 is being herein respectfully traversed without amendments for the following reasons:

Regarding Independent claim 1

The office action alleges that Kung discloses a method comprising generating, from a received frame, a monitored frame having unique in-device information and a normally-transferred frame, and establishing a path corresponding to each of the generated frames.

However, it is respectfully submitted that Kung merely discloses that a frame (packet) received from a target IP phone station 101 to be monitored is copied to be transferred to a monitoring station 103 (see column 2, lines 50-54 and 58-63, and items 111 and 109 in Fig.1). Accordingly, it is submitted that Kung fails to teach or suggest individually “generating a monitored frame,” and “a normally-transferred frame” and “establishing a path corresponding to each of the generated frames” as recited in claim 1. Accordingly, it is submitted claim 1 patentably distinguishes over Kung under 35 U.S.C §102(e).

Regarding Independent claim 6

The office action also alleges, with respect to claim 6, that Kung teaches a frame processor for generating, from a received frame, a monitored frame having unique in-device information, and a switch portion for establishing a path corresponding to each of the generated frames by inputting frames. However, it is submitted that Kung fails to teach or suggest the

frame processor and the switch portion of claim 6 which correspond to the first step and second steps of claim 1, which were distinguished over Kung above.

Accordingly, claim 6 is also believed to be patentably distinguishable over Kung under 35 U.S.C §102(e).

Conclusion

In view of the remarks and amendments set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

/Nathan Weber/

Nathan Weber
Reg. No. 50,958

CUSTOMER NUMBER 026304
FUJY 20.628 (100794-00483)
Ph: 212.940.8564